

Part B State Annual Performance Report (APR) for 2007

Overview of the Annual Performance Report Development:

Monitoring Priority: Disproportionate Representation – Eligibility Category

Indicator 10: Percent of LEAs that report disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Measurement: (5 LEAs divided by 50 LEAs) x 100 = 10%

Disproportionate Representation is defined as a risk ratio of 2.5 or higher **or less than 0.4** for two consecutive years with a minimum n size of 10 students plus evidence of policies, procedures, and/or practices which result in inappropriate identification. Evidence was collected from multiple sources: record reviews, onsite visits, district submissions in the consolidated resource plan, records of complaints, mediations, and hearings.

Significant Disproportionality is defined as

- Risk levels for a racial group that are 1% or higher than the national risk for all students;
- A risk ratio that shows that the risk for the group in your district is at least 2.5 times the combined risk for all students in the nation;
- There must be at least 10 students in the category in question;
- The specific criteria must be met for two consecutive years;

FFY	Measurable and Rigorous Target
2007	0% of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Actual Target Data for 2007:

In addition to FFY 2007, RIDE is including FFY 2006 data as discussed during the OSEP onsite visit in September 2008.

Data Year	Number of LEAs with Disproportionate Representation	Number of LEAs where Disproportionate Representation was the Result of Inappropriate Identification (Actual Target Data)
FFY 2007 (Dec 07)	24	5
FFY 2006 (Dec 06)	28	10

In FFY 2007, the most common disability category for disproportionate representation due to inappropriate identification practices was Emotional Disturbance (4 LEAs) followed by Other Health Impairments (3 LEAs), Learning Disabilities and Speech Language Disorders (2 LEAs each), and lastly Mental Retardation (1 district). Hispanic students and Black students are disproportionately represented in the areas of OHI, ED, and LD. Native American students are disproportionately represented in the areas of ED and LD. White students are disproportionately represented in ED, LD, OHI, MR, and Sp & L. *No district which met the n size requirement had under representation.*

In FFY 2006, the most common disability category for disproportionate representation due to inappropriate identification practices were Emotional Disturbance and Other Health Impairments (7 LEAs each), followed by Learning Disabilities (5 LEAs) and Speech Language Disorders (3 LEAs), and lastly Mental Retardation (2 LEAs). Hispanic students are disproportionately represented in the areas of ED, LD, and MR. Black students are disproportionately represented in the areas of OHI, ED, LD, and MR. Native American students are disproportionately represented in the areas of OHI, ED, and LD. White students are disproportionately represented in ED, LD, OHI, MR, and Sp & L. *No district which met the n size requirement had under representation.*

Discussion of Improvement Activities Completed and Explanation of Progress or Slippage that occurred for 2007:

Disproportionate Representation:

Correction of noncompliance FFY 2007 - LEAs with disproportionate representation due to inappropriate identification practices were required to report plans for correction of noncompliance through revision of policies, procedures, and practices in their consolidated resource plans submitted June 1, 2008. Further verification of correction of non-compliance occurred via record reviews, onsite visits, monitoring of district negotiated agreements and corrective action plans by RIDE. For example, one LEA worked closely to examine procedures and practices in identification of culturally and linguistically diverse students with Mental Retardation while another LEA did the same regarding procedures and practices for identifying culturally and linguistically diverse students with Speech Language Disabilities. LEAs received targeted technical assistance from RIDE in collaboration with the New England Equity Assistance Center and the Northern RI Educational Collaborative. Topics included culturally responsive educational practices, distinguishing cultural and linguistic difference from disability, and response to intervention initiatives for serving all students with responsive systems of supports and interventions. RIDE has requested additional technical assistance from the New England Equity Assistance Center to provide further targeted technical assistance to the remaining LEAs with disproportionate representation due to inappropriate identification practices. RIDE is also pursuing the development of the district self-assessment tool as a web-based application to facilitate the timely determination of non-compliance and verification of correction. Currently, all LEAs are required to submit the self-assessment and corresponding evidence checklist as a Word document in the Consolidated Resource Plan/Acelegrants submission each June. District responses on the self-assessment and evidence checklist drive targeted intervention provided by RIDE in conjunction with other TA providers. Review and revision of SEA policies, procedures, and practices has included the following activities:

- Review and revision of state regulations for the education of English language learners completed August 2008
- Review and revision of the state basic education plan including Chapter 14. Supports to Students; work initiated late fall 2008 and ongoing
- Development and finalization of state criteria for identifying students with learning disabilities; work initiated summer 2008 and ongoing with anticipated finalization for spring/summer 2009

Correction of noncompliance FFY 2006 Verification of correction of non-compliance occurred via record reviews, onsite visits, monitoring of district negotiated agreements and corrective action plans by RIDE. Plans for correction of noncompliance through revision of policies, procedures, and practices were submitted by LEAs June 1, 2007 in their consolidated resource plans. LEAs received targeted technical assistance from RIDE in collaboration with New England Regional Resource Center, the New England Equity Assistance Center, and the Northern RI Educational Collaborative.

Additionally, three LEAs engaged in the RI response to intervention technical assistance initiative for serving all students with responsive systems of supports and interventions. Through this process 5 of the 10 LEAs demonstrated correction of noncompliance by revising policies, procedures, and practices in their LEAs.

Explanation of Progress/Slippage In RI, Black and Hispanic students are no longer disproportionately represented in the area of Mental Retardation. In addition, Native American students are no longer disproportionately represented in the area of OHI. Three of the five LEAs still identified as having inappropriate identification practices have made progress in correcting areas that contribute to non-compliance despite frequent turnovers in district leadership including superintendent, special education directors, and building principals. While new policies and procedures are in place in those three LEAs, practices are seeing change at a slower rate. The remaining two LEAs have not yet completed revisions of policies and procedures related to appropriate identification of students with Emotional Disturbance and Other Health Impairments; however, one of those LEAs has instituted a significant instructional practice change that contributes to the correction of noncompliance. Neither district participated in past technical assistance delivered by the Equity Assistance Center, nor are they participating in the RI response to intervention technical assistance initiative for serving all students with responsive systems of supports and interventions. Both LEAs will receive additional targeted technical assistance this spring to support completion of required revisions and demonstration of correction of noncompliance in time for the June 1, 2009 Consolidated Resource Plan/Acegrants submission.

Significant Disproportionality:

LEAs with significant disproportionality were required to review and, if appropriate, revise policies, procedures, and practices in their consolidated resource plans submitted June *each year* and publically report on any such revisions. RIDE has provided a district self-assessment tool to assist LEAs with this review. In addition, LEAs were required to support Coordinated Early Intervening Services (CEIS) with 15% of their IDEA funds and report on their proposed activities in the consolidated resource plans submitted June 1, 2008. LEAs will report on the number of students receiving CEIS who are subsequently referred to and found eligible for special education and related services through a new data collection procedure in June 2009. LEAs received targeted technical assistance from RIDE in cooperation with the Northern RI Educational Collaborative on CEIS.

Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for 2007

[If applicable]